



IAP6 Rec'd PCT/PTO 13 AUG 2007

PATENT  
ATTORNEY DOCKET NO. 056291-5278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re APPLICATION of: **Tetsuo OKADA et al.** ) Confirmation No. 6009  
)  
Application No.: 10/576,774 ) Group Art Unit: 1626  
)  
Filed: March 16, 2007 ) Examiner: Unassigned  
)  
FOR: **PROCESS FOR THE MANUFACTURE OF** )  
**THE CALCIUM SALT OF** )  
**ROSVASTATIN (E)-7-[4-(4-** )  
**FLUOROPHENYL)-6-ISOPROPYL-2-** )  
**[METHYL(METHYLSULFONYL)AMINO]-** )  
**PYRIMIDIN-5-YL](3R,5S)-3,5-** )  
**DIHYDROXYHEPT-6-ENOIC ACID AND** )  
**CRYSTALLINE INTERMEDIATES** )  
**THEREOF** )

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Missing Parts  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Date: August 13, 2007

Sir:

**REQUEST FOR CORRECTED FILING RECEIPT**

Attached is a red-marked-up copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

There is an error with respect to the following data which is:

incorrectly entered

**Error In**

Title

**Correct Data**

**PROCESS FOR THE MANUFACTURE  
OF THE CALCIUM SALT OF  
ROSVASTATIN (E)-7-[4-(4-  
FLUOROPHENYL)-6-ISOPROPYL-2-  
[METHYL(METHYLSULFONYL)AMINO]-**

**PYRIMIDIN-5-YL](3R,5S)-3,5-DIHYDROXYHEPT-6-ENOIC ACID AND CRYSTALLINE INTERMEDIATES THEREOF**

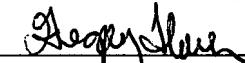
The correction(s) is/are not due to any error by the applicant and no fee is due.

At least one of the above corrections is due to the applicant's error and the fee therefor under 37 CFR 1.19(h) of \$25.00 is paid as follows:

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
\_\_\_\_\_  
Gregory T. Lowen  
Reg. No: 46,882

Dated: August 13, 2007

**CUSTOMER NO. 09629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001

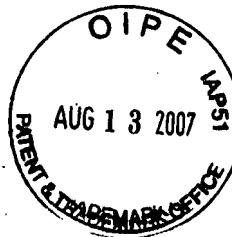


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1430  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/576,774	03/16/2007	1624	1490	056291-5278	20	3

9629  
 MORGAN LEWIS & BOCKIUS LLP  
 1111 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004



CONFIRMATION NO. 6009

FILING RECEIPT



\*OC000000024981915\*

Date Mailed: 07/25/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Tetsuo Okada, Osaka, JAPAN;  
 John Horbury, Bristol, UNITED KINGDOM;  
 David Dermot Patrick Laffan, Cheshire, UNITED KINGDOM;

**Power of Attorney:** The patent practitioners associated with Customer Number **009629**.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/GB04/04481 10/22/2004

**Foreign Applications**

UNITED KINGDOM 0324791.3 10/24/2003

**If Required, Foreign Filing License Granted:** 07/23/2007

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/576,774**

**Projected Publication Date:** 11/01/2007

**Non-Publication Request:** No

**RECEIVED**

**Early Publication Request:** No

**JUL 27 2007**

MORGAN, LEWIS & BOCKIUS LLP

PROCESS FOR THE MANUFACTURE OF THE CALCIUM SALT OF ROSUVASTATIN (E)-7-[4-(4-FLUOROPHENYL)-6-ISOPROPYL-2-[METHYL(METHYLSULFONYL)AMINO]PYRIMIDIN-5-YL](3R,5S)-3,5-DIHYDROXYHEPT-6-ENOIC ACID AND CRYSTALLINE INTERMEDIATES THEREOF

**Title**

~~Process for the Manufacture of the Calcium Salt of Rosuvastatin (E)-7-[4-(4-Fluorophenyl)-6-Isopropyl-2-[Methyl(Methylsulfonyl)Amino]Pyrimidin-5-Yl](3R, 5S)-3,5-Dihydroxyhept-6-Enoic Acid and Crystalline Intermediates Thereof~~

**Preliminary Class**

544

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The

date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DJS  
BT2  
LCB

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,774	Tetsuo Okada	056291-5278
INTERNATIONAL APPLICATION NO.		
PCT/GB04/04481		
I.A. FILING DATE		PRIORITY DATE
10/22/2004		10/24/2003
CONFIRMATION NO. 6009		
371 ACCEPTANCE LETTER		
 *OC000000024981916*		

Date Mailed: 07/25/2007

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

- The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>03/16/2007</u>	<u>03/16/2007</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 04/21/2006
- Copy of the International Search Report filed on 04/21/2006
- Information Disclosure Statements filed on 04/21/2006
- Oath or Declaration filed on 03/16/2007
- U.S. Basic National Fees filed on 04/21/2006
- Priority Documents filed on 04/21/2006
- Specification filed on 04/21/2006
- Claims filed on 04/21/2006
- Abstracts filed on 04/21/2006

**RECEIVED**

JUL 27 2007

MORGAN, LEWIS & BOCKIUS LLP

S6291-5278  
**DOCKETED**  
 By Com Date 7/29/07

---

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

DONNA S GREENE  
Telephone: (703) 308-9140 EXT 222

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)